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10/065,268	09/30/2002	Akira Ohmura		5678

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EXAMINER

HERNANDEZ, NELSON D

ART UNIT	PAPER NUMBER
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2622

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/065,268

Applicant(s)

OHMURA, AKIRA

Examiner

Nelson D. Hernandez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 7-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☒ Certified copies of the priority documents have been received in Application No. 09/576,221.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 5, 2006 has been entered.

Response to Amendment

2. The Examiner acknowledges the amended claims filed on December 5, 2006. **Claims 1, 9 and 10** have been amended. **Claim 6** has been canceled.

Response to Arguments

3. Applicant's arguments with respect to **claims 1, 9 and 10** have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 1, 2, 5, 7, 8, 10, 11 and 14-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tomat, US Patent 6,784,925 B1 in view of Berstis, US Patent 6,721,001 B1.**

Regarding claim 1, Tomat discloses a digital image storage (computer system 1 as shown in fig. 1) for use with a digital camera (Figs. 1: 14 and 3: 14) having a memory (Fig. 3: 36) capable of storing digital data of images and other digital data (sound files; see col. 6, lines 9-18; col. 7, line 11 – col.8, line 16), the digital image storage comprising: a connector (Col. 6, lines 19-28) for communicating with the digital camera; a controller (computer executable process stored in mass storage 6; see col. 5, lines 49-58) that causes the digital camera to transmit the digital data of the images, but not the other digital data of any stored documents, from the memory of the digital camera to the digital image storage while the digital camera is coupled to the connector (As shown in fig. 13, Tomat discloses that the computer systems can be set to cause the digital camera to transmit only the digital data of the images but not sound files (other digital data of any stored documents) by having the user checking a selection box (See fig. 13: 132) of whether or not having the camera transmitting the sound files to the computer when the camera is connected; col. 11, line 17 – col. 12, line 20; col. 12, lines 46-64);

and a storage medium (fixed disk 6 in computer system 1 as shown in fig. 1) that stores the transmitted digital data of the images.

Tomat does not explicitly disclose that the connector includes a docking station for coupling with the digital camera.

However, Berstis discloses a digital image storage system (See fig. 1) for use with a digital camera (Fig. 1: 102) having a memory (Fig. 2: 214), the digital image storage system comprising: a docking station (Fig. 1: 106) on which the digital camera is to be placed for taking out digital images stored in the memory of the digital camera; and a digital image storage (Personal computer; col. 2, lines 15-46) located apart from the docking station for communicating with the docking station, wherein the digital camera includes a controller (Fig. 2: 208) that detects a signal from the docking station and causes transmission of the digital images subsequent to receipt of the signal (Col. 2, line 15 - col. 3, line 8; col. 4, lines 5-63). Having the storage medium disposed in a housing separate from the housing having the docking station is advantageous because it would alleviate the need to use a cable to connect the camera to the host, as is done with other digital still cameras and which may require restarting the local host to recognize the newly connected camera, this would also improve the operability and reduce the time needed to connect a camera to a host.

Therefore, taking the combined teaching of Tomat in view of Berstis as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tomat by having the digital images in the memory being transmitted from the memory to the digital image storage by way of a docking station

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and detecting said docking station in order to transmit the images to said digital image storage from said digital camera. The motivation to do so would have been to alleviate the need to use a cable to connect the camera to the host, as is done with other digital still cameras and which may require restarting the local host to recognize the newly connected camera, this would also improve the operability and reduce the time needed to connect a camera to a host.

Regarding claim 2, Tomat discloses that the controller causes the digital camera to transmit the digital data of all the images in the memory to the digital image storage (See fig. 4, step 412; col. 8, lines 12-16).

Regarding claim 5, the combined teaching of Tomat in view of Berstis as applied to claim 1 teaches that the controller detects a signal through the connector to cause the transmission of the digital data of the images (See Tomat, col. 7, line 41 – col. 8, line 16).

Regarding claim 7, the combined teaching of Tomat in view of Berstis as applied to claim 1 teaches that the docking station charges a battery of the digital camera while the digital camera is coupled to the docking station (See Berstis, col. 2, lines 15-39).

Regarding claim 8, the combined teaching of Tomat in view of Berstis as applied to claim 1 teaches that a signal that causes the controller to start the transmission of the digital data of the images is output from the docking station after the coupling of the digital camera with the docking station (See Tomat, col. 7, line 41 – col. 8, line 16; see also Berstis, col. 4, lines 35-63).

Regarding claim 10, Tomat discloses a digital image storage system (See computer system 1 as shown in fig. 1) for use with a digital camera (Figs. 1: 14 and 3: 14) having a memory capable (Fig. 3: 36) of storing digital data of images and other digital data (sound files; see col. 6, lines 9-18; col. 7, line 11 – col.8, line 16), the system comprising: a connector (Col. 6, lines 19-28) to communicate with the digital camera; and an image storage (fixed disk 6 of computer system 1 as shown in fig. 1) in communication with the connector, the image storage including a storage medium (fixed disk 6 as shown in fig. 1) and a controller (computer executable process stored in mass storage 6; see col. 5, lines 49-58) that causes the transmission of the digital data of the images, but not the other digital data of any stored documents, from the memory of the digital camera through the connector and to the storage medium of the image storage while the digital camera is connected to the storage system (As shown in fig. 13, Tomat discloses that the computer systems can be set to cause the digital camera to transmit only the digital data of the images but not sound files (other digital data of any stored documents) by having the user checking a selection box (See fig. 13: 132) of whether or not having the camera transmitting the sound files to the computer when the camera is connected; col. 11, line 17 – col. 12, line 20; col. 12, lines 46-64).

Tomat does not explicitly disclose a docking station on which the digital camera can be placed to communicate with the digital camera; and that the controller causes the transmission of digital data of the digital camera through the docking station and to the storage medium of the image storage while the digital camera is placed on the docking station.

However, Berstis discloses a digital image storage system (See fig. 1) for use with a digital camera (Fig. 1: 102) having a memory (Fig. 2: 214), the digital image storage system comprising: a docking station (Fig. 1: 106) on which the digital camera is to be placed for taking out digital images stored in the memory of the digital camera; and a digital image storage (Personal computer; col. 2, lines 15-46) located apart from the docking station for communicating with the docking station, wherein the digital camera includes a controller (Fig. 2: 208) that detects a signal from the docking station and causes transmission of the digital images subsequent to receipt of the signal (Col. 2, line 15 - col. 3, line 8; col. 4, lines 5-63). Having the storage medium disposed in a housing separate from the housing having the docking station is advantageous because it would alleviate the need to use a cable to connect the camera to the host, as is done with other digital still cameras and which may require restarting the local host to recognize the newly connected camera, this would also improve the operability and reduce the time needed to connect a camera to a host.

Therefore, taking the combined teaching of Tomat in view of Berstis as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tomat by having the digital images in the memory being transmitted from the memory to the digital image storage by way of a docking station and detecting said docking station in order to transmit the images to said digital image storage from said digital camera. The motivation to do so would have been to alleviate the need to use a cable to connect the camera to the host, as is done with other digital still cameras and which may require restarting the local host to recognize the newly

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connected camera, this would also improve the operability and reduce the time needed to connect a camera to a host.

Regarding claim 11, Tomat discloses that the controller causes the digital camera to transmit the digital data of all the images in the memory to the image storage (See fig. 4, step 412; col. 8, lines 12-16).

Regarding claim 14, Tomat discloses that the controller detects a signal that causes the controller to start the transmission of the digital data of the images (See col. 7, line 41 – col. 8, line 16).

Regarding claim 15, the combined teaching of Tomat in view of Berstis as applied to claim 10 teaches that the docking station charges a battery of the digital camera while the digital camera is coupled to the docking station (See Berstis, col. 2, lines 15-39).

Regarding claim 16, the combined teaching of Tomat in view of Berstis as applied to claim 10 teaches that a signal causes the controller to start the transmission of the digital data of the images is output from the docking station after the placement of the digital camera on the docking station (See Tomat, col. 7, line 41 – col. 8, line 16; see also Berstis, col. 4, lines 35-63).

Regarding claim 17, the combined teaching of Tomat in view of Berstis as applied to claim 10 teaches that the docking station has a shape to fit a bottom of the digital camera (See Berstis, fig. 1, docking station 106 has a shape to fit a bottom of the digital camera 102).

Regarding claim 18, the combined teaching of Tomat in view of Berstis as applied to claim 10 teaches that the docking station has a shape to fit a bottom of the digital camera (See Berstis, fig. 1, docking station 106 has a shape to fit a bottom of the digital camera 102).

6. Claims 3 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tomat, US Patent 6,784,925 B1 in view of Berstis, US Patent 6,721,001 B1 and further in view of Fichtner, 6,256,059 B1.

Regarding claim 3, the combined teaching of Tomat in view of Berstis fails to teach that the digital data of the images includes still images and motion picture images

However, Fichtner teaches an imaging device (Fig. 1: 10) that is attachable to a host system (Fig. 1: 20) via a cable (Fig. 1: 22), wherein, when the imaging device is attached to the host system, said host system automatically request all the images stored in the imaging device or a particular image, wherein the digital data of the images includes still images and motion picture images (col. 1, lines 12-21; col. 1, line 66 – col. 2, line 3; col. 2, -lines 14-43 and line 63 – col. 3, line 6; col. 4, lines 17-26).

Downloading the image data including still images and motion pictures automatically from the imaging to the host system is advantageous because it frees the user from having to select the images to be transmitted in order to transfer said images to the host system speeding up freeing memory space in the imaging device, and would also allow the user to back-up different types of image data that can later be edited as desired by the user (i.e. making home movies).

Therefore, taking the combined teaching of Tomat in view of Berstis and further in view of Fichtner as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Tomat and Berstis by transmitting the digital data corresponding to still images and motion pictures in the memory to the digital image storage when the camera is connected to the storage device. The motivation to do so would have been to help freeing memory space in the digital camera and to reduce the number of operation steps by the user when transferring image data to the storage device speeding up freeing memory space in the imaging device, and would also allow the user to back-up different types of image data that can later be edited as desired by the user (i.e. making home movies).

Regarding claim 12, the combined teaching of Tomat in view of Berstis and further in view of Fichtner as applied to claim 11 teaches that the digital data of the images includes still images and motion picture images (See Fichtner, col. 1, lines 12-21).

7. Claims 4 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tomat, US Patent 6,784,925 B1 in view of Berstis, US Patent 6,721,001 B1 and further in view of Davison, US Patent 6,516,099 B1.

Regarding claim 4, Tomat in view of Berstis fails to teach that the controller causes the transmission of the digital data of the images in order of the time when respective digital data of images were taken by the digital camera.

However, transferring images from a digital camera to an external device in the same order that said images were captured is notoriously well known in the art as taught by Davison wherein a camera (Fig. 1: 12) takes a plurality of images and a computer (Fig. 1: 12) downloads said images in the same order said images were taken in order to display the images in a display (Fig. 1: 18) in the same order the images were taken (Col. 7, lines 34-60). Taking out of the digital images in order of the time when respective digital images were taken by the digital camera is advantageous because it would help organizing the images when having a large amount of images stored in the digital camera or the digital image storage, this would also help the user to better determine the age of the images.

Therefore, taking the combined teaching of Tomat in view of Berstis and further in view of Davison as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the digital image storage system in Tomat and Berstis by taking out of the digital images in order of the time when respective digital images were taken by the digital camera. The motivation to do so would have been to help the digital image storage organizing the images when having a large amount of images stored in the digital camera or the digital image storage, this would also help the user to better determine the age of the images.

Regarding claim 13, the combined teaching of Tomat in view of Berstis fails to teach that the controller causes the transmission of the digital data of the images in order of the time when respective digital data of images were taken by the digital camera.

However, transferring images from a digital camera to an external device in the same order that said images were captured is notoriously well known in the art as taught by Davison wherein a camera (Fig. 1: 12) takes a plurality of images and a computer (Fig. 1: 12) downloads said images in the same order said images were taken in order to display the images in a display (Fig. 1: 18) in the same order the images were taken (Col. 7, lines 34-60). Taking out of the digital images in order of the time when respective digital images were taken by the digital camera is advantageous because it would help organizing the images when having a large amount of images stored in the digital camera or the digital image storage, this would also help the user to better determine the age of the images.

Therefore, taking the combined teaching of Tomat in view of Berstis and further in view of Davison as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the digital image storage system in Tomat and Berstis by taking out of the digital images in order of the time when respective digital images were taken by the digital camera. The motivation to do so would have been to help the digital image storage organizing the images when having a large amount of images stored in the digital camera or the digital image storage, this would also help the user to better determine the age of the images.

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tomat, US Patent 6,784,925 B1 in view of Berstis, US Patent 6,721,001 B1 and further in view of Nambudiri, US Patent 6,640,214 B1.

Regarding claim 9, Tomat discloses a storage medium (fixed disk 6 in computer system 1 as shown in fig. 1) that stores a computer program that is executable by a controller of a digital image storage (computer system 1 as shown in fig. 1) that can be used with a digital camera (Figs. 1: 14 and 3: 14) having a memory (Fig. 3: 36) capable of storing digital data of images and other digital data (sound files; see col. 6, lines 9-18; col. 7, line 11 – col.8, line 16), the digital data of the images being transmitted from the digital camera memory to the digital image storage by way of a connector (Col. 6, lines 19-28) being coupled with the digital camera, the computer program comprising instructions to cause the controller to perform the steps of: detecting receipt of a signal to initiate the transmission of the digital data from the memory of the digital camera to the digital image storage (See col. 7, line 41 – col. 8, line 16); in response to the signal, performing the transmission of the digital data of the images, but not the other digital data of any stored documents, from the memory of the digital camera while the digital camera is coupled to the digital image storage (As shown in fig. 13, Tomat discloses that the computer systems can be set to cause the digital camera to transmit only the digital data of the images but not sound files (other digital data of any stored documents) by having the user checking a selection box (See fig. 13: 132) of whether or not having the camera transmitting the sound files to the computer when the camera is connected; col. 11, line 17 – col. 12, line 20; col. 12, lines 46-64); and storing the

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transmitted digital data of the images in the digital image storage (using fixed disk 6 in computer system 1 as shown in fig. 1).

Tomat does not explicitly disclose connecting the camera to the computer through a docking station and that the step of detecting receipt of a signal to initiate the transmission of the digital data memory of the digital camera to the digital image storage in response to the signal is from the docking station.

However, Berstis discloses a digital image storage system (See fig. 1) for use with a digital camera (Fig. 1: 102) having a memory (Fig. 2: 214), the digital image storage system comprising: a docking station (Fig. 1: 106) on which the digital camera is to be placed for taking out digital images stored in the memory of the digital camera; and a digital image storage (Personal computer; col. 2, lines 15-46) located apart from the docking station for communicating with the docking station, wherein the digital camera includes a controller (Fig. 2: 208) that detects a signal from the docking station and causes transmission of the digital images subsequent to receipt of the signal (Col. 2, line 15 - col. 3, line 8; col. 4, lines 5-63). Having the storage medium disposed in a housing separate from the housing having the docking station is advantageous because it would alleviate the need to use a cable to connect the camera to the host, as is done with other digital still cameras and which may require restarting the local host to recognize the newly connected camera, this would also improve the operability and reduce the time needed to connect a camera to a host.

Therefore, taking the combined teaching of Tomat in view of Berstis as a whole, it would have been obvious to one of ordinary skill in the art at the time the invention

was made to modify Tomat by having the digital images in the memory being transmitted from the memory to the digital image storage by way of a docking station. The motivation to do so would have been to alleviate the need to use a cable to connect the camera to the host, as is done with other digital still cameras and which may require restarting the local host to recognize the newly connected camera, this would also improve the operability and reduce the time needed to connect a camera to a host.

The combined teaching of Tomat in view of Berstis fails to teach that the step of detecting receipt of a signal to initiate the transmission of the digital data memory of the digital camera to the digital image storage in response to the signal is from the docking station.

However, the concept of having a system wherein when a docking station detects the presence or connection of another device, said docking station sends a receipt signal to said processing device to inform that a terminal has been connected to said docking station is notoriously well known in the art as taught by Nambudiri. Nambudiri teaches a cradle (see fig. 21) located apart from a host computer (Fig. 21: 1646) comprising a terminal detection module (Fig. 22: 1704) for detecting the connection of a portable terminal (Fig. 21: 1610), wherein when said terminal detection module detects the connection of said portable terminal, a microprocessor (Fig. 21: 1632) of said cradle controls a synchronization module (Fig. 21: 1706) to automatically synchronize data between the portable terminal and said host computer (Col. 17, line 55 – col. 19, line 53).

Although the portable terminal in Nambudiri is not a digital camera, one of ordinary skill in the art would find obvious to apply the concept of having a system wherein when a docking station detects the presence or connection of another device, said docking station sends a receipt signal to said processing device to inform that a terminal has been connected to said docking station taught by Nambudiri to have the digital image storage in Tomat and Berstis detecting a receipt signal from the docking station indicating that the camera is connected to said docking station. The motivation to do so would have been to automatically synchronize the image data of the camera with the image data of the computer upon connecting the camera to the docking station.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (571) 272-7311. The examiner can normally be reached on 8:30 A.M. to 6:00 P.M..

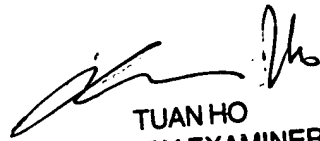
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nelson D. Hernandez
Examiner
Art Unit 2622

NDHH
February 4, 2007



TUAN HO
PRIMARY EXAMINER